



JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BRYAN JOSEPH MINCEY,

Petitioner,

v.

RON DAVIS,* Warden of California
State Prison at San Quentin,

Respondent.

CASE NO. CV 93-2554 PSG

DEATH PENALTY CASE

JUDGMENT

IT IS HEREBY ORDERED that Petitioner Bryan Joseph Mincey's petition for writ of habeas corpus be **CONDITIONALLY GRANTED** and that the judgment of conviction on the special circumstance and the sentence of death in the matter of *People v. Bryan Joseph Mincey*, Case No. SCR 41466 of the California Superior Court of San Bernardino County, shall be **VACATED**.

IT IS FURTHER ORDERED that the State of California shall, within 120 days from the entry of this Judgment, either grant Petitioner a new trial on the special circumstance allegation, or vacate the special circumstance finding and death sentence and resentence Petitioner in accordance with California law and the

* Ron Davis is substituted for his predecessors as Warden of California State Prison at San Quentin, pursuant to Federal Rule of Civil Procedure 25(d).

1 United States Constitution.

2 **IT IS FURTHER ORDERED** that the Clerk of this Court shall
3 immediately notify the Warden of San Quentin Prison of this Court's judgment.

4 **IT IS SO ORDERED.**

5 Dated: June 15, 2015.



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7 PHILIP S. GUTIERREZ
8 United States District Judge
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